

Yana A. Hart, Esq. (SBN: 306499)
yana@westcoastlitigation.com
HYDE & SWIGART, APC
2221 Camino Del Rio South, Suite 101
San Diego, CA 92108
Telephone: (619) 233-7770
Facsimile: (619) 297-1022

Attorneys for Plaintiff,
Nathan Thew

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

<p>NATHAN THEW, individually and on behalf of others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>UNITED SERVICES AUTOMOBILE ASSOCIATION FEDERAL SAVINGS BANK,</p> <p>Defendant.</p>	<p>Case No.: 5:19-cv-00309-PA-SP</p> <p>JOINT MOTION FOR DISMISSAL OF ACTION WITHOUT PREJUDICE AS TO THE NAMED PLAINTIFF AND WITHOUT PREJUDICE AS TO THE PUTATIVE CLASS</p> <p>HON. PERCY ANDERSON</p>
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Plaintiff NATHAN THEW and Defendant UNITED SERVICES
AUTOMOBILE ASSOCIATION FEDERAL SAVINGS BANK (collectively
“Parties”) hereby move to dismiss the above entitled action without prejudice as to
the named Plaintiff and without prejudice as to the Putative Class, pursuant to Fed.
R. Civ. Procedure 41(a)(1)(ii), each party shall bear his/its own costs. The notice
and approval requirements of Federal Rule of Civil Procedure 23(e) are

1 inapplicable to the parties' settlement and dismissal of this Putative Class action
 2 because this action has not been certified as a class. The Parties anticipate
 3 reopening this matter to file a dismissal with prejudice once they finalize the
 4 settlement.

5 WHEREFORE, the Parties respectfully request that this Court dismiss this
 6 action without prejudice as to the named Plaintiff, and without prejudice as to the
 7 Putative Class. The Parties reserve the right to reopen this matter within 60 days
 8 for filing a request for dismissal with prejudice.

9 This Court retains jurisdiction to enforce the settlement of this action.

10 Respectfully submitted,

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12
13 Dated: July 8, 2019

HYDE & SWIGART, APC

14 By: s/Yana A. Hart
 15 Yana A. Hart
 16 *Attorneys for Plaintiff*

17 Dated: July 8, 2019

BALLARD SPAHR LLP

18 By: s/Marcos Sasso
 19 Marcos Sasso
 20 *Attorneys for Defendant*

Signature Certification

21 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative
 22 Policies and Procedures Manual, I hereby certify that the content of this document
 23 is acceptable to Marcos Sasso, counsel for the Defendant, and that I have obtained
 24 his authorization to affix his electronic signature to this document.

25 Dated: July 8, 2019

HYDE & SWIGART, APC

26 By: s/Yana A. Hart
 27 Yana A. Hart
 28 *Attorneys for Plaintiff*